

## REMARKS

### Priority

The Examiner acknowledged Applicants' claim for foreign priority, but noted that a certified copy of Japanese Patent Application No. 11-03077, filed August 2, 1999, had not been filed as required by 35 U.S.C. § 119(b). Applicants note that a certified copy of the above-identified Japanese patent application was filed with the United States Patent and Trademark Office on February 13, 2004.

### Objections to the Specification

The Examiner objected to the disclosure because of an informality. Applicants have amended the specification in order to overcome this objection. No new matter has been added.

The Examiner also objected to the title of the invention as not being descriptive. Applicants have amended the title of the application to clearly indicate the invention to which the claims are directed.

### Claim Rejections

Claims 1, 4, 6 and 9 were rejected as being unpatentable over Masanaga et al. (US 5,115,269) in view of Mochizuki et al. (US 5,793,422). Applicants traverse this rejection.

Independent claim 1, from which claims 4 and 6 depend, is directed to a solid-state imaging apparatus that comprises a selection circuit for selecting first exposure information generated by a first exposure information generating circuit when the level of an image signal is outside of a predetermined range and selecting second exposure information generated by a second exposure information generating circuit when the level of the image signal is within the predetermined range, which allows for obtaining a stable image signal. The first exposure information generating circuit generates the first exposure information by determining whether a level of the image signal is within a predetermined range. The second exposure information generating circuit generates the second exposure information using the image signal.

Independent claim 9 is directed to a method for controlling an exposure of a solid-state imaging apparatus that comprises selecting first exposure information generated by a first exposure

information generating circuit when the level of an image signal from a solid-state image sensor is outside of a predetermined range and selecting second exposure information generated by a second exposure information generating circuit when the level of the image signal is within the predetermined range, which allows for obtaining a stable image signal. The first exposure information is generated based upon a determination of whether a level of the image signal is within a predetermined range. The second exposure information is calculated using the image signal from the solid-state image sensor.

Masanaga et al. is directed to a camera for performing an exposure control using the luminance of a subject substantially at the central portion and the luminance of the subject background. In the exposure control, Masanaga et al. generates average luminance  $A_v$  by adding a signal in a large light-receiving region  $R$  and a signal in a small light-receiving region  $R_{sp}$  (spot luminance  $S_p$ ) and calculating a luminance difference between the average luminance  $A_v$  and the spot luminance  $S_p$  (*see* col. 4, ll. 1-14 and Fig. 1 of Masanaga et al.).

With respect to claims 1, 4 and 6, however, Masanaga et al. does not disclose the first exposure information generating circuit and the selection circuit of the present invention that selects the first exposure information or the second exposure information on the basis of the level of the image signal. Nor does Masanaga et al. disclose the requirements of claim 9 of generating the first exposure information based upon a determination of whether a level of the image signal is within a predetermined range and selecting the first exposure information or the second exposure information on the basis of the level of the image signal. Rather, Masanaga et al. teaches using the average luminance  $A_v$ , the spot luminance  $S_p$ , and the luminance difference to perform the exposure control.

Mochizuki et al. is directed to a video camera that includes a comparator for comparing a level of an output signal with a reference level of an output signal and an exposure time controlling circuit for controlling an exposure time in accordance with the compared output signal (*see* abstract). However, Mochizuki et al. does not disclose the second exposure information generating circuit and the selection circuit of the present invention that selects the first exposure information or the second exposure information on the basis of the level of the image signal (claims 1, 4 and 6) or the selection of the first exposure information on the basis of the level of the image signal (claim 9). Accordingly,

Applicants believe that the present invention is not obvious over Masanaga et al. in view of Mochizuki et al. and request that the rejection of claims 1, 4, 6 and 9 be reconsidered and withdrawn.

CONCLUSION

The Examiner rejected claims 1, 4, 6 and 9 and objected to claims 2, 3, 5, 7, 8, 10 and 11 as allowable but dependent upon rejected claims. Applicants respectfully traversed the rejection of claims 1, 4, 6 and 9. Accordingly, Applicants believe the application is in a condition for allowance and issuance of a Notice of Allowance is earnestly solicited. The Examiner is encouraged to contact the undersigned at the telephone number listed below in the event that a telephone conference would expedite the prosecution of the application.

Respectfully submitted,

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